

S/N 10/621,061

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|---------------------------------|-------------------|----------------|
| Applicant: | Sanberg <i>et al</i> | Examiner: | Nancy S. Vogel |
| Serial No.: | 10/621,061 | Group Art Unit: | 1636 |
| Filed: | July 16, 2003 | Docket No.: | USF-005ORD |
| Title: | Human Immunosuppressive Protein | Confirmation No.: | 8835 |

RESPONSE UNDER 37 CFR § 1.116

Mail Stop After-Final Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Applicants have reviewed the Office Action mailed on May 3, 2007. This response is to be considered a Petition to obtain a 2-month extension of the period for responding to the Office action, thereby moving the deadline for response from August 3 to October 3.

Applicants hereby request additional review of this application because they were surprised that the Office did not withdraw the 102 rejection in light of the previous Declarations by the inventors and the fact that the anticipating article stated on its face that the manuscript (representing reduction to practice) was submitted prior to the publication. The Applicants and undersigned had believed that the prior submission would be sufficient to overcome the 102 rejection. Applicants respectfully request that they be permitted to provide additional evidence with an affidavit.

Remarks/Arguments begin on page 2 of this paper.